

## **Board of Sumter County Commissioners**

### **Division of Planning & Development**

#### **Code Compliance Department**

910 N. Main Street, Suite 301 • Bushnell, FL 33513 • Phone (352) 793-0270 • FAX: (352) 793-0274

Website: <http://sumtercountyfl.gov>



## **SPECIAL MASTER HEARING March 25, 2010 @ 3:00 PM**

**Present:** R. Lee Hawkins, Jr. - Special Master, Matthew Foreman - County Attorney, Alysia Akins - Code Enforcement/Licensing Coordinator, Dwayne Ausley - Inspector, Lee Hartman - Chief Inspector, and Edd Kaman - Inspector.

Special Master Hawkins called the hearing to order at 3:02 PM and followed with the Pledge of Allegiance.

Special Master Hawkins entered the minutes of the Special Master Hearing from 2/25/10 into the record.

Mr. Hartman, Mr. Ausley, and Mr. Kaman were sworn in.

#### **OLD BUSINESS:**

The following cases received Affidavits of Non-Compliance:

CE2009-0246/Reasch

CE2009-0365/Friend

CE2009-0419/Lovett

CE2009-0461/Bosley

CE2009-0504/Jumper Creek

CE2009-0506/Clayton

The following case received an Affidavit of Compliance:

CE2009-0308/Mallery

The following case was tabled from the 2/25/10 hearing and one of the complainants has requested that staff allow the case# to remain on the table until the 4/29/10 hearing due to not being able to attend this hearing:

CE2009-0400/Jackson

Special Master Hawkins advised this case would remain on the table until the 4/29/10 hearing.

The following case was tabled from the 1/28/10 & 2/25/10 hearings and the County Attorney has requested it remain on the table until the 4/29/10 hearing due to property ownership issues ~~until the 4/29/10 hearing~~:

CE2009-0505/ROBERT & JANET DINGLE/ELENA PRIKHDINA

Special Master Hawkins advised this case would remain on the table until the 4/29/10 hearing.

**NEW BUSINESS:**

THE FOLLOWING CASES RECEIVED AFFIDAVITS OF PRE-HEARING COMPLIANCE:

CE-W2009-0475/Box

CE-CH2010-0003/Sherman

**1) CASE #: CE-CH2009-0445**

NAME: SAMUEL LEE AVANT, JR

ADDRESS: 175 W ORANGE ST, CENTER HILL (CITY LIMITS)

VIOLATION: CENTER HILL CODE SEC. 1 ( C )(2) - 304.7, 304.10, 304.13, 12-21

INSPECTOR: DWAYNE AUSLEY

RECOMMENDATION: **HEAR CASE**

Lee and Joann Avant, Respondent's brother and sister-in-law, were present and sworn in. The Respondent was sent a Notice of Hearing via certified mail, and the property was posted regarding the code case that began on 10/9/09. The property has homestead exemption. Staff's last inspection was on 3/25/10 and the property remained in violation. Mr. Ausley submitted photos of the violations taken by Edd Kaman, Inspector, on 3/25/10 into the record. Mr. Ausley testified the roof is still in violation, the porch and debris were removed, and the windows are still in violation.

Mr. Ausley recommended the Respondent bring the property into compliance by obtaining the required permit for repairs or demolition and pay staff costs in the amount of \$466.38 within 30 days; if not, a \$15 daily fine be ordered. Mr. Ausley amended his recommendation to 60 days.

Mr. and Mrs. Avant discussed the required repairs vs. demolishing the structure. The time frame for demolition was also discussed. Mrs. Avant testified they are assisting Mr. Samuel Avant with his financial issues. Mr. Avant testified he plans to replace the glass as opposed to replacing the windows. The necessary roof repairs were discussed, in which a permit will be required if the roofing is replaced. Mr. Avant testified he will have to attain a Power of Attorney from his brother in order to obtain any required building permits.

Special Master Hawkins found the property in violation of the roofing and window codes. The Respondent was ordered to bring the property into compliance by repairing or demolishing the structure within 60 days. If not, staff costs in the amount of \$466.38 are ordered to be paid in addition to a \$15 daily fine that will be assessed until the property is found in compliance.

**2) CASE #: CE-CH2010-0002**

NAME: LEE OTIS HUDSON

ADDRESS: 340 EAST LANE, CENTER HILL (CITY LIMITS)

VIOLATION: CENTER HILL CODE SEC 1 ( C ) (2)- 304.5, 304.7, 12-21

INSPECTOR: DWAYNE AUSLEY

RECOMMENDATION: **HEAR CASE**

The Respondent was not present. The Notice of Hearing was sent via certified mail and the property was posted regarding the code case that began on 1/11/10. The property does not have homestead exemption. Staff's last inspection was on 3/25/10 and the property remained in violation. Mr. Ausley submitted photos of the violations taken by Edd Kaman, Inspector, on 3/25/10 into the record. Mr. Ausley testified the skirting and roof are in need of repair; however, ~~the property violations were resolved.~~

Mr. Ausley recommended the Respondent bring the property into compliance by making the necessary repairs or demolishing the structure and paying staff costs in the amount of \$361.06 within 30 days; if not, a \$15 daily fine be ordered.

Special Master Hawkins found the property in violation of the skirting and roofing codes. The Respondent was ordered to bring the property into compliance by making the necessary repairs or demolishing the structure within 30 days. If not, pay staff costs of \$361.06 and a \$20 daily fine until the property is found in compliance.

**3) CASE #: CE2010-0068**

NAME: DANNY & DEBORAH SUGGS

ADDRESS: 7268 NW 44<sup>TH</sup> BLVD, LAKE PANASOFFKEE

VIOLATION: 13-51(A)(2)(A)

INSPECTOR: DWAYNE AUSLEY

RECOMMENDATION: **HEAR CASE**

The Respondent, Danny Suggs, was present and sworn in. The Respondents were sent a Notice of Hearing via certified mail and the property was posted regarding the code case that began on 2/18/10. The property does not have homestead exemption. Mr. Ausley's last visit to the property was on 3/25/10 and the property remained in violation. Mr. Ausley submitted photos of the violations taken on 3/25/10 into the record.

Mr. Ausley introduced Steve Wilcox, Sumter County Plans Examiner, who was sworn in and testified regarding the status of Mr. Suggs' pending building permits for the pool and screen cage. Mr. Wilcox testified signed and sealed engineered drawings are required in order to issue the two separate building permits for the pool and screen cage. Mr. Wilcox testified he had been in contact with Mr. Suggs over the past year regarding the permit requirements. Mr. Wilcox discussed Mr. Suggs' ongoing permit violation history.

Mr. Suggs testified he was under the impression his contractor had obtained the required permits for the pool and screen cage. Mr. Suggs testified he has unsealed engineered drawings; however, is currently working with a different engineer and has a letter from this

engineer regarding the pool and screen cage being constructed according to code requirements.

Mr. Ausley recommended the Respondents bring the property into compliance immediately by obtaining the required permits and paying staff costs in the amount of \$310.64; if not, a \$250 daily fine be ordered until the property is found in compliance and staff costs are paid.

Special Master Hawkins found the property in violation of the permitting requirements. The Respondents were ordered to bring the property into compliance within 1 week by obtaining the required building permits and paying staff costs in the amount of \$310.64. If not, a \$20 daily fine will be assessed until the property is found in compliance and staff costs are paid.

**4) CASE #: CE2009-0543**  
NAME: JUMPER CREEK HOMEOWNERS ASSOCIATION  
ADDRESS: SE 26<sup>TH</sup> DRIVE, BUSHNELL  
VIOLATION: 6-104(5)  
INSPECTOR: EDD KAMAN  
RECOMMENDATION: **HEAR CASE**

The Respondent was not present. The Respondent was sent a Notice of Hearing via certified mail and the property was posted regarding the code case that began on 12/18/09. The property does not have homestead exemption. Mr. Kaman's last inspection was on 3/25/10 and the property remained in violation. Mr. Kaman submitted photos of the violations taken on 3/25/10. Mr. Kaman testified the vacant lots and drainage retention areas are all overgrown, in addition to several abandoned lots for sale with homes under construction. Mr. Kaman also testified the residents of the subdivision are unhappy with the condition of the lots in violation.

Mr. Kaman recommended the Respondent bring the property into compliance by mowing and maintaining the areas in violation and paying staff costs in the amount of \$361.06 by 3/26/10; if not, a \$250 daily fine be ordered until the property is found in compliance and staff costs are paid.

Special Master Hawkins found the property in violation due to the overgrowth. Special Master Hawkins ordered the property be brought into compliance by mowing and maintaining all areas found in violation by 3/26/10. In addition, the Respondent was ordered to pay staff costs in the amount of \$361.06 by 3/26/10. If not, a \$150 daily fine will be assessed for each and every day the property remains in violation and staff costs remain unpaid.

**5) CASE #: CE2010-0004**  
NAME: PAUL T & DONNA K NOEL  
ADDRESS: 13172 CR 200, OXFORD  
VIOLATION: 6-104(5)  
INSPECTOR: JIM SHADY/LEE HARTMAN  
RECOMMENDATION: **HEAR CASE**

The Respondents were not present. The Respondents were sent a Notice of Hearing via certified mail, and the property was posted regarding the code case that began on 1/5/10.

The property does not have homestead exemption. Staff's last inspection was on 3/25/10 and the property remained in violation. Mr. Hartman submitted photos of the violations taken on 3/25/10 into the record. Mr. Hartman testified the property appears to be abandoned and the only response that had been received was from the realtor for the property.

Mr. Hartman recommended the Respondents bring the property into compliance and pay staff costs in the amount of \$361.06 upon the date of the Order. If not, a \$25 daily fine be ordered until the property is found in compliance and staff costs are paid.

Special Master Hawkins found the property in violation due to the overgrowth. The Respondents were ordered to bring the property into compliance by mowing the property and paying staff costs in the amount of \$361.06 upon the date of the Order, which was amended to 30 days. If not, a \$25 daily fine will be assessed until the property is found in compliance and costs are paid.

There was no further business to discuss; therefore, Special Master Hawkins adjourned at approximately 3:47 PM.